

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

IN RE LOESTRIN 24 FE ANTITRUST
LITIGATION

THIS DOCUMENT RELATES TO:

All End-Payor Actions

MDL No. 2472

Master File No.
1:13-md-2472-WES-PAS

**END-PAYOR PLAINTIFFS' MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT WITH
LUPIN LTD. AND LUPIN PHARMACEUTICALS, INC.**

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, End-Payor Plaintiffs A.F. of L. – A.G.C. Building Trades Welfare Plan, Allied Services Division Welfare Fund, City of Providence, Rhode Island, Electrical Workers 242 and 294 Health & Welfare Fund, Fraternal Order of Police, Fort Lauderdale Lodge 31, Insurance Trust Fund, Laborers International Union of North America, Local 35 Health Care Fund, Painters District Council No. 30 Health & Welfare Fund, Teamsters Local 237 Welfare Benefits Fund, United Food and Commercial Workers Local 1776 & Participating Employers Health and Welfare Fund, Denise Loy, and Mary Alexander (collectively, “EPPs”), on behalf of themselves and the End-Payor Lupin Settlement Class (the “EPP Class,” as defined in the accompanying memorandum of law), respectfully move this Court for an Order: (i) preliminarily approving the Class Action Settlement with Defendants Lupin Ltd. and Lupin Pharmaceuticals, Inc. (together, the “Lupin Defendants”) (the “Lupin Settlement”); (ii) certifying the EPP Class for purposes of the Lupin Settlement pursuant to Fed. R. Civ. P. 23; (iii) staying EPPs’ litigation against the Lupin Defendants; (iv) approving the Notice Plan and Long and Short Form Notices and appointing A.B. Data, Ltd. as the claims administrator; (v) setting a schedule for Final Approval of the Lupin Settlement, which includes deferring implementation

and dissemination of notice until a date following a final pre-trial ruling on EPPs' pending class certification motion; (vi) approving an escrow agent; (vii) designating the named EPPs as Class Representatives for the EPP Class; and (viii) designating Motley Rice LLC, Miller Law LLC, Hilliard & Shadowen LLP, and Cohen Milstein Sellers & Toll PLLC as Co-Lead Class Counsel and Motley Rice LLC as Liaison Counsel for purposes of the Lupin Settlement.

In support of this Motion, EPPs rely on the Declaration of Michael M. Buchman and the accompanying Memorandum of Law.

Dated: July 15, 2019

Respectfully submitted,

MOTLEY RICE LLC

By: /s/ Michael M. Buchman

Michael M. Buchman
Michelle C. Clerkin
777 Third Avenue, 27th Floor
New York, NY 10017
(212) 577-0050
mbuchman@motleyrice.com
mclerkin@motleyrice.com

Marvin A. Miller
Lori A. Fanning
MILLER LAW LLC
115 South LaSalle Street, Suite 2910
Chicago, IL 60603
(312) 332-3400
mmiller@millerlawllc.com
lfanning@millerlawllc.com

Steve D. Shadowen
Matthew C. Weiner
HILLIARD & SHADOWEN LLP
219 Congress Ave.
Suite 1325
Austin, TX 78701
(855) 344-3298
steve@hilliardshadowenlaw.com
matt@hilliardshadowenlaw.com

Sharon K. Robertson

Donna M. Evans
COHEN MILSTEIN SELLERS
& TOLL PLLC
88 Pine Street, 14th Floor
New York, NY 10005
(212) 838-7797
srobertson@cohenmilstein.com
devans@cohenmilstein.com

*Interim Co-Lead Counsel for the Proposed
End-Payor Class*

Donald A. Migliori
MOTLEY RICE LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464
(843) 216-9000
dmigliori@motleyrice.com

*Interim Liaison Counsel for the Proposed
End-Payor Class*

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2019, a true copy of the foregoing document was served on all counsel of record by electronically filing the document with the Court's CM/ECF system.

/s/ Michael M. Buchman

Michael M. Buchman